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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Javid A. Amini
CAMERON B. BROWNE	)	
	:	Group Art Unit: 2672
Application No.: 09/277,171	)	
	:	
Filed: March 26, 1999	)	
	:	
For: OPACITY BASED INTERFERENCE	)	
TEXTURE	:	June 17, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

On June 9, 2005, Applicant's representatives, David A. Divine and Matthew Neil, held an interview with Examiners Javid Amini and Jeffrey Brier, regarding the present invention. Applicant's representatives wish to thank the Examiners for granting the interview, and for the courtesies extended by the Examiners during the interview.

During the interview, Applicant's representatives presented arguments distinguishing Applicant's invention as recited in representative Claim 1 from the cited Becker, Cosman, and Griffith patents.

In particular, Applicant's representatives argued that there was no motivation to combine the Becker, Cosman, and Griffith patents as proposed in the Office Action. Modifying

Becker to provide regions of substantially uniform opacity, as presently recited in independent Claim 1, would render Becker unfit for its intended purpose of visually approximating a distribution of data in a scatter plot. Modifying Becker by filling the region with substantially uniform opacity would prevent the scattered data from being observable. Applicant's representatives understood that the Examiner agreed to reconsider whether the Becker, Cosman, and Griffith patents could be properly combined as proposed in the Office Action.

Applicant's representatives also presented arguments that even if, for the sake of argument, the documents could be combined as suggested in the Office Action, there is no disclosure or suggestion in Becker, Cosman, or Griffith of identifying a plurality of substantially equidistant points within a predetermined region of the images and placing a shape element at each identified point, as presently recited in independent Claim 1. Applicant's representatives understood that the Examiner found this argument to be persuasive and agreed that the previous rejection of Claims 1-38 was overcome by the amended Claims.

While not raised during the interview, the Interview Summary form requests clarification of the phrase "substantially uniform opacity" in Claim 1, "because the substantially uniform opacity level might range from completely transparent (0) to completely opaque (100)." Applicant wishes to point out that as recited in Claim 1, section (b), it is the individual shape elements that have varying opacity, while as recited in section (d), the predetermined region when filled with overlapping shape elements has a substantially uniform opacity. These features are described further at least at page 5 of the specification.


The Examiner also tentatively objected to the feature of varying the opacity with time in independent Claim 32 and dependent Claim 19. In particular, the Examiner questioned how the opacity of a printed page can be varied with time. Applicant submits that this feature of Claims 19 and 32 is clear, since the step of varying the opacity could be carried out prior to the image being displayed or printed, for example

Applicant's representatives also requested clarification of the basis for the rejection of the feature varying the opacity over time, as recited in Claims 19 and 32. The Examiner asserted that the teaching in the Becker patent of generating a Gaussian splat, inherently teaches varying the opacity with time. The Interview Summary form states that when a person of skill in the art considers type of display (i.e., life of a pixel), then Gaussian distribution may be considered a function of time, and attaches a print out from a web page allegedly supporting this statement. Applicant respectfully submits that a Gaussian function is merely "a function of the form:  $f(x) = a e^{\{-(x-b)^2/c^2\}}$  for some real constants  $a > 0$ ,  $b$ , and  $c$ ", and is not inherently a function of time. *Gaussian Function*, Wikipedia Encyclopedia, [http://en.wikipedia.org/wiki/Gaussian\\_function](http://en.wikipedia.org/wiki/Gaussian_function). While time could conceivably be a variable of a Gaussian function, there is no disclosure or suggestion in any of the cited documents of varying the opacity with time. The print out attached to the Interview Summary relates to time-to-failure and reliability functions, but fails to disclose or suggest varying the opacity of one or more shape elements over time. Accordingly, Applicant requests withdrawal of the rejection of Claims 19 and 32 for this additional reason.

Applicant submits that the application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the outstanding Office Action, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Divine", with a horizontal line drawn underneath it.

Attorney for Applicant

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